

Public Law 101-634
101st Congress

An Act

Nov. 28, 1990
[S. 319]

Salt Lake City
Watershed
Improvement
Act of 1990.
National forests.

To effect an exchange of lands between the United States Forest Service and the Salt Lake City Corporation within the State of Utah, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Salt Lake City Watershed Improvement Act of 1990".

SEC. 2. FINDINGS AND PURPOSES.

(a) FINDINGS.—The Congress finds that—

(1) current land ownership patterns in the Northern Canyons of the Wasatch Mountains east of Salt Lake City, Utah, unnecessarily impede efficient land and water resource management activities by the Forest Service and Salt Lake City on their respective lands;

(2) the Act of September 19, 1914, reserved Federal lands in these canyons from mineral entry and set them aside as a municipal water supply reserve for the use and benefit of Salt Lake City;

(3) the 1914 Act further provides for cooperation between the Forest Service and Salt Lake City in managing the lands for municipal water supply purposes; and

(4) a consolidation of National Forest lands and Salt Lake City lands in the canyon vicinities would be in the public interest and would enhance land management and water resource protection opportunities for both Salt Lake City and the Forest Service.

(b) PURPOSES.—The purposes of this Act are to authorize an exchange of Forest Service and Salt Lake City lands and interests to consolidate ownership and facilitate management, to adjust boundaries of the Wasatch National Forest accordingly, and to protect valid existing rights appurtenant to lands and interests subject to conveyance under this Act.

SEC. 3. CONVEYANCE OF LANDS.

(a) IN GENERAL.—The Secretary of Agriculture (hereinafter referred to as the "Secretary") is authorized and directed to convey certain Federal lands and interests managed by the Forest Service within the State of Utah, and generally as depicted on the map entitled "Salt Lake City—Wasatch National Forest Land Exchange" and dated November 1989, for certain lands and interests owned by the Salt Lake City Corporation (hereinafter referred to as the "City") as generally depicted on such map. Such map, along with a legal description of all lands and interests to be conveyed, shall be on file and available for public inspection in the office of the Forest Service, United States Department of Agriculture. The Secretary

shall convey such Federal lands and interests to the City only upon the occurrence of all of the following:

(1) Publication by the Secretary in the Federal Register of a legal description of all Federal lands and interests to be conveyed to the City pursuant to this Act.

Federal
Register,
publication.

(2) Publication by the Secretary in the Federal Register of a legal description of all City lands and interests to be conveyed to the United States pursuant to this Act.

Federal
Register,
publication.

(3) Written notification by the City to the Secretary that the City accepts the provisions of this Act, including subsection (e)(2) and subsection (f).

(4) Delivery to the Secretary by the City of documents of conveyance of the lands and interests to be conveyed by the City.

(5) Delivery to the City and the Secretary of written approval by the Attorney General of the United States of the title to the lands and interests described in documents of conveyance submitted by the City within six months of their receipt by the Secretary.

(b) **CONFLICTS.**—Conveyances of Federal lands and interests under this Act shall be completed notwithstanding—

(1) the reservations of the Act of September 19, 1914;

(2) withdrawals of lands for the Fort Douglas Military Reservation under the Executive orders dated September 3, 1867, and June 8, 1896, and under the Pickett Act of June 25, 1910 (36 Stat. 847); and

(3) section 206 of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1716).

(c) **ADMINISTRATION.**—Lands and interests acquired by the United States pursuant to this Act shall be added to, and administered as part of, the National Forest System under principles of multiple use and sustained yield.

(d) **ADJUSTMENT OF BOUNDARIES.**—The boundaries of the Wastach National Forest shall be adjusted as depicted on the map referred to in subsection (a) to reflect the conveyance and acquisition of lands pursuant to this Act.

(e) **Interim Recognition of Existing Rights.**—Valid existings rights appurtenant to lands and interests acquired by the Secretary or acquired by the City pursuant to this Act shall be recognized, protected, and managed by the acquiring government in accordance with the terms and authorities under which such rights were issued until new, similar rights can be issued by the acquiring government—

(1) in the case of lands and interests acquired by the Federal Government, the Secretary shall negotiate with holders of valid existing rights appurtenant to such lands and interests issued by the City and provide such holders of rights new, similar rights under the authority of the Federal Government; and

(2) in the case of lands and interests acquired by the City, the City will negotiate with holders of grazing permits, special use permits (to include easements and rights-of-way), or other valid existing rights appurtenant to such lands and interests issued by the Federal Government and will provide such holders of rights with similar new rights under the authority of the City.

(f) **RECOGNITION OF MORMON TRAIL.**—The City will recognize the designation of the Mormon Pioneer National Historic Trail over

lands which it acquires pursuant to this Act and will manage its lands in a manner consistent with such designation.

SEC. 4. RESTRICTIONS.

(a) **RESTRICTIONS ON ADDITIONAL TRANSFER.**—The lands and interests transferred to the City or the United States under this Act shall not be conveyed or otherwise transferred to any person or entity other than the United States.

(b) **RESTRICTIONS ON EXPLORATION OR DEVELOPMENT.**—The lands and interests transferred to the City or the United States under this Act shall not be subject to any form of mineral, energy, or geothermal exploration or development, and shall be used only for purposes consistent with and conforming to the reservations and purposes of the Act of September 19, 1914, and this Act, except for valid existing rights protected under section 3(e).

SEC. 5. AUTHORIZATION OF APPROPRIATIONS.

There are authorized to be appropriated such sums as may be necessary to carry out the purposes of this Act.

Approved November 28, 1990.

LEGISLATIVE HISTORY—S. 319:

HOUSE REPORTS: No. 101-547, Pt. 1 (Comm. on Interior and Insular Affairs) and Pt. 2 (Comm. on Agriculture).

SENATE REPORTS: No. 101-231 (Comm. on Energy and Natural Resources).

CONGRESSIONAL RECORD, Vol. 136 (1990):

Jan. 24, considered and passed Senate.

Oct. 10, considered and passed House, amended.

Oct. 26, Senate concurred in House amendment.